return of their interest in the property.

To the General Interrogatory.

A. Nothing further,

Signature of Witness waived.

Henry M. Gittinger, a witness of lawful age, produced on the part of the Plaintiff, being duly sworn and examined viva voce, deposes and says as follows;-

My name is Henry M. Gittinger, I am 55 years of age, reside in Frederick City, I am a contractor and builder and am fairly well acquainted with the values of real estate in the City of Frederick. I know the property mentioned in these proceedings, it is a dwelling house and lot of ground situated on the North side of East Second Street in Frederick City, Maryland, and now occupied by Mrs. Anna Kate Tyson. I look at Exhibit No. 3, The price effered by Mrs. Tyson for the interest in remainder of Fred Bragonier Aubert, Abraham S. McDannel and Catherine Aubert Tyson, being equal to \$3600.00 for the property subject to her life estate, is fair and reasonable and more than those interests would propebly bring if offered at public sale at this time. The property might bring \$4000. 00 if sold clear of all liens and encumbrances and estates at this time. Mrs. Tyson is comparatively a young woman about 52 or 53 years old, and the interest on the money for the period of time that she may be reasonably expected to live, added to that \$3600.00 would make more than the property would bring if sold clear and free at this time. In my opinion it would be to the best interest and advantage of all the parties to this cause, especially the infants, for the Court to ratify and confirm that sale to Mrs. To the General Interregatory. Tyson.

A. Nothing further.

Signature of Witness waived.

Mrs. Sarah A. R. Aubert, a witness of lawful age, produced on the part of the Plaintiff, being first duly sworn, deposes and says as follows;-

- Q. State your age, name and residence and your relation to the parties to this cause, and do you know the property mentioned in these proceedings?
- A. Mrs. Sarah A. R. Aubert, I am more than 21 years old, I reside in Washington, D. C. I know all the parties to this cause, I am the mother of the Defendant, Fred Bragenier Aubert, and I know the property mentioned in these proceedings.
- Q. Of what does that property consist?
- A. It is a dwelling house and lot of ground on the North side of East Second Street in Frederick City, Maryland, formerly the property of James Brunner, deceased, mentioned in the second clause of his will as filed in Equity cause No. 7188 in the Circuit Court for Frederick County, in Equity, and also in the opinion and Decree of the Court filed in said cause. It is now in the occupancy of Mrs. Anna Kate Tyson, the life Jenant.
- Q. Whe are the Defendants named in this Bill of Complaint, and what are their ages and residences?
- A.. Fred Bragonier Aubert, who is my sen and who is now 18 years of age. He resides with me in the City of Washington, D. C. and is a non-resident of the State of Maryland. He is a son of James Aubert and was the son of Henrietta Aubert, the person named in the 2nd clause of the will of James Brunner, deceased. The opinion of the Court in that case was that the property would go to Mrs. Tysen for life and at her death to the children of James Aubert, who died 18 years ago, and Mrs Tyson & Mrs McDannell Our only children was Fred Bragonier as I stated. Abraham 5. McDannel is the san of Mary Elizabeth Aubert McDannel, is now about 16 years of age and who resides at Womelsdorf in the